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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,943	06/28/2001	Manish S. Prabhu	MS174301.1	6299

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EXAMINER

HO, ANDY

ART UNIT PAPER NUMBER

2194

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,943

Applicant(s)

PRABHU ET AL.

Examiner

Andy Ho

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,9-12,14,21-24,27,28,30,31 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9-12,14,21-24,27,28,30,31 and 41-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-916)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This action is in response to the amendment filed 3/13/2006.
2. Claims 1-5, 9-12, 14, 21-24, 27-28, 30-31 and 41-44 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 9-12, 14, 21-24, 27-28, 31, 41-42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foley U.S Patent No. 6,487,590 in view of Waldo U.S Patent No. 6,449,648 and Bainbridge U.S Patent No. 6,014,700.

As to claim 1, Foley teaches a system comprising:

a remote object monitor (polling for attributes associated with the network element if the client requests the monitoring of the network element, changes in attributes are reported when the client requests notification of changes in attributes, lines 38-45 column 1) to monitor a remote object (network element, lines 38-45 column 1);

determining a lifetime of the remote object (object status information is reported, lines 26-29 column 5; client perform commands to request various maintenance operations on the network element 38, lines 29-31 column 3).

Foley further does not explicitly teach imaging the remote object as a proxy object, a class that implements the proxy object being extensible through attributes to provide attribute based code, performing attribute based code, and a lease.

Bainbridge teaches a client/server object oriented programming system (object-oriented client/server computing environment, line 32 column 3) wherein data from a remote object are acquired to image the remote object as a proxy object (forming a proxy object, lines 1-16 column 4), the metadata comprising a class hierarchy including a subclassable object reference base class (...forming an extended object reference based on said request, said extended object reference having, in addition to a server address field and an object key field, at least one additional field..., lines 38-41 column 3; lines 43-64 column 5), the proxy object intercepting client calls on the remote object and facilitating activating a custom attribute based process (...when first application program 40 wishes to make a remote procedure call to request that work be done by a server, it sends a message to the proxy object 41 informing the proxy object of what work it wants done by a server. Proxy object 41, in conjunction with ORB 42, forms an object reference..., line 65 column 5 to line 3 column 6). It would have been obvious to apply the teachings of Bainbridge to the system of Foley because by using a proxy object, the system could process the request directly by the specified server as disclosed by Bainbridge (lines 1-16 column 4).

Waldo teaches a system of resource management wherein a lifetime manager (lease manager, line 14 column 6) is used to control the lifetime of an object (resource, line 8 column 5) and employs a lease to determine a lifetime of the remote object, the lease comprising an initial lease period (specifying a requested lease period, lines 8-9 column 5). It would have been obvious to apply the teachings of Waldo to the system of Foley because by employing a lease on the resource, the system would have control over the access to the resource as disclosed by Waldo (line 55 column 4 to line 20 column 5).

As to claim 2, Foley as modified further teaches the client calls on the remote object comprise a human readable reference (web browser 30 including the HTML 35 and applet 32, Fig. 1) to the remote object.

As to claim 3, Foley as modified further teaches the human readable reference to a remote object codes comprising protocol information (HTML 35, Fig. 1).

As to claim 4, Foley as modified further teaches the human readable reference to a remote object is a URL (HTML 35, Fig. 1).

As to claim 5, Foley as modified further teaches the protocol information is HTTP (HTML 35, Fig. 1).

As to claim 9, Foley as modified further teaches the attribute based code is to be performed before non-attribute code (viewConfig, lines 41-46 column 5).

As to claim 10, Foley as modified further teaches the attribute based code is to be performed in parallel with non-attribute code (notifyConfig, lines 47-53 column 5).

As to claim 11, Foley as modified further teaches the attribute based code is to be performed after non-attribute code (cancelNotify, lines 54-57 column 5).

As to claim 12, it is a system claim of claims 9-11. Therefore, it is rejected for the same reasons as claims 9-11 above.

As to claim 14, Foley as modified further teaches the lifetime manager employs a lease manager (application-specific service object, lines 9-10 column 5) to monitor the lifetime of the remote object. Foley does not explicitly teach a lease renewal. Waldo teaches a renewal on access time (a new lease period, 17-20 column 5). Note the discussion of claim 1 above for the reason of combining references.

As to claim 21, it is a computer readable medium claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 22, it is a system claim of claims 1-2, 8 and 13. Therefore, it is rejected for the same reasons as claims 1-2, 8 and 13 above.

As to claims 23-24, they are system claims of claims 3 and 5, respectively. Therefore, they are rejected for the same reasons as claims 3 and 5 above.

As to claims 27-28, they are system claims of claims 12 and 14, respectively. Therefore, they are rejected for the same reasons as claims 12 and 14 above.

As to claim 31, it is a computer readable medium claim of claim 22. Therefore, it is rejected for the same reasons as claim 22 above.

As to claim 41, it is a method claim of claims 32, 35, 37 and 40. Therefore, it is rejected for the same reasons as claims 32, 35, 37 and 40 above.

As to claim 42, it is a computer program product claim of claim 41. Therefore, it is rejected for the same reasons as claim 41 above.

As to claim 44, it is a computer program product claim of claim 41. Therefore, it is rejected for the same reasons as claim 41 above.

4. Claims 30 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foley in view of Waldo and Bainbridge, and further in view of King U.S Patent No. 6,681,263.

As to claim 30, Foley as modified does not explicitly teach a garbage collector. King teaches a system of controlling the lifetime of an object (lines 53-58 column 2) wherein a garbage collector is assigned to deletes an object is no longer being used by the client (the garbage collector examines objects to determine whether there are any remaining references from clients to that object; when all of those references have been released, the garbage collector deletes the object, lines 38-42 column 2). It would have been obvious to apply the teachings of King to the system of Foley as modified because by employing a garbage collector, the lifetime of the object could be closely monitored such as the garbage collector deletes the object when the object's lifetime is ended as disclosed by King (lines 38-42 column 2).

As to claim 43, it is a system claim of claims 8, 22 and 30. Therefore, it is rejected for the same reasons as claims 8, 22 and 30 above. Foley does not explicitly teach initializing garbage collection of the object upon expiration of the lease. Waldo teaches at the end of the lease period, allowing the garbage collection system to

reclaim the resource (lines 61-64 column 4). Note the discussion of claim 1 above for the reason of combining references.

Response to Arguments

5. Applicant's arguments filed 3/13/2006 have been fully considered but they are not persuasive.

Applicant argued that there is no suggestion to combine the cited references (Remarks, page 9 continue to last paragraph page 10). In response, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In this case, motivation is found in the references themselves as disclosed in the claims rejection above.

Applicant argued that the cited references do not teach the proxy is extensible (Remarks, first complete paragraph page 10). In response, the applicant argued a new limitation that was not claimed before. However, this new limitation is still met by the cited references as disclosed in the claim rejections above.

Applicant argued that King reference does not teach activating custom attribute code associated with a proxy (Remarks, first complete paragraph page 11). In response, as disclosed in the claim rejections above, King reference is used to teach a garbage collector, not activating custom attribute code associated with a proxy.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2194

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450


Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

A.H

May 25, 2006


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER